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Approved For Release 2004/08/19 : CIA-RDP80R01720R000800090001-0

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

28 June 1973

SAVA 73-114

MEMORANDUM FOR: Dr. Henry A. Kissinger
Assistant to the President for
National Security Affairs

SUBJECT : Impact Of The "Eagleton Amendment"
Throughout Indochina [REDACTED]
[REDACTED] As Seen By CIA
[REDACTED]

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1. Immediately after the U.S. House of Representatives passed the FY 1973 Supplemental Appropriations Bill, including the so-called "Eagleton Amendment," we requested [REDACTED]

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[REDACTED] views on the implications of this Congressional action. It is believed that their answers, though written before President Nixon's veto of the bill, will still be of interest to you, since the issue of funding to support combat activities in Cambodia (and Laos) clearly remains with us.

CAMBODIA

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a. What will be the physical impact on FANK capabilities if U.S. air operations in fact cease within the next few days?

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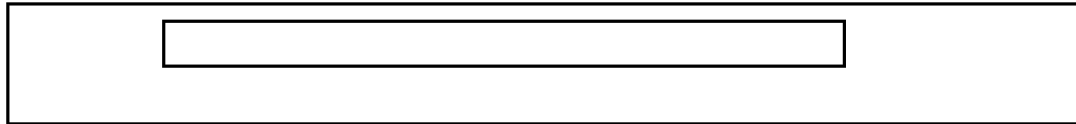
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b. What will be the psychological and political impact on the Cambodian government, army and populace if the Cambodians themselves assume or believe that U.S. air operations will so cease?

c. What will be the impact on the negotiating demands, posture and tactics of the Khmer Communists?

d. Would the ending of U.S. combat support activities materially increase the near-term risk of disorder or anarchy in Phnom Penh?



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"a. The key words in the Eagleton Amendment are those which state that no funds may be expended to support directly or indirectly combat activities in, over, or from off the shores of Cambodia, or in, or over, Laos by United States forces (underlining added). It would appear that the amendment clearly prohibits bombing and other combat activities over Cambodian territory. The inference also is that logistical support aimed at maintaining FANK combat capabilities -- arms, ammunition, etc. -- provided to the FANK by the U.S. may also be interpreted as being affected. Depending on whether this interpretation is correct, we are dealing with two contingencies the implementation of which will have different implications. We will deal with each of these separately below.

"b. Positing the fact that combat air operations would cease but that logistical support to FANK would continue:

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"(1) The physical impact on FANK capabilities would be serious but not necessarily fatal. U.S. combat air support has played a major role in whatever limited successes FANK has been able to achieve in the recent reopenings of Routes 4 and 5,* and even more importantly, in keeping the Mekong river corridor open to ship convoys. U.S. tactical air has, without a doubt, hurt the enemy, prevented him from concentrating his forces, and has inflicted (or threatened to inflict) substantial personnel and material losses to his field units. The presence of U.S. air has been a major factor in persuading ship masters to continue their willingness to venture up the Mekong. Without such support, FANK would find it difficult to keep the banks of the Mekong free of enemy units with a consequent increased harassment of river convoys. Enclaves, such as Takeo, where enemy pressure has been constant and U.S. air combat support has been the balancing factor might well be lost to the enemy. FANK will find itself hard pressed to prevent the sporadic interdictions of Routes 4 and 5 and in equal difficulty in reopening the LOCs after they have been cut. In order to do so, it will be forced to concentrate its forces along these avenues perhaps at the expense of maintaining units now scattered in such places as

*Route 5 has been closed again since this was written.

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Svay Rieng, Prey Veng, Takeo, Kampot and Kompong Thom, thus effectively surrendering these cities to the enemy.

"(2) However, if a defeatist psychology can be prevented, the FANK even with the cessation of bombing should have the physical capability of performing the missions of defending Phnom Penh, keeping Routes 4 and 5 open, and, with Cambodian navy assistance and the total commitment of the KAF (Cambodian Air Force), running convoys up the Mekong.

"(3) The psychological and political impact on the bureaucracy, the military and the populace at large is difficult to gauge. The realization that U.S. bombing was ending would undoubtedly be a severe shock to the Khmer who have not really been willing to focus on such a possibility and have been assuming all along that the U.S. President will find a way out of his dilemma. There are some indications that hoarding of rice may have begun, that scattered individuals may be converting their money into hard currency, and that a few military personalities may be pulling up stakes and preparing to leave the country. These hints, although disquieting, are as yet far from

taking on the proportions of a panic or a massive exodus. A bombing halt would most likely not accelerate such preparations if the announcement of the bombing cessation could be accompanied by strong and believable assurances by both U.S. and GKR sources that military and other aid to the GKR would be continued, that food supplies would be guaranteed, and that a bombing cessation did not presage the total abandonment by the U.S. of the GKR to its fate. FANK morale would undoubtedly suffer, especially among units accustomed to receive significant air support and there would undoubtedly continue to be cases of indiscipline among individual units. There is not likely to be, however, an immediate and disastrous disintegration of FANK. The Cambodian reaction would be one of acute disappointment but not despair. On the political front, agitation on the part of the military and of In Tam's political enemies (largely kept in check in recent weeks by U.S. Embassy efforts), for the removal of In Tam could be expected to resume. A political crisis could develop leading, in perhaps short order, to In Tam's resignation. The results of such a dissolution are not now predictable but such a development might lead, for better or for worse, to a Sirik Matak government. Whether such a new

administration could cope more effectively with Cambodia's problems is a moot point.

"(4) In the event that bombing ceased, Khmer Communist (KC) negotiating demands probably would not change. The KC would continue to call for the removal of the Lon Nol 'clique' and to refuse to negotiate with representatives of the current government. They would consider the cessation of the bombing as a major tactical and psychological victory for their cause and would undoubtedly intensify military pressure and propaganda efforts against the GKR. Although they probably would not wish to attempt to take Phnom Penh City immediately, the infiltration of cadre-men into the city would continue and probably intensify and small unit/sapper attacks against selected individual objectives within the city and on its periphery could be expected. The aim of the KC would be to create chaos and confusion within the city, as well as cut off its communications, in the hope that the GKR would suffer an internal collapse, thus opening the door to a KC takeover with a minimum of risk. Should the KC estimate that such a collapse would prove to be a lengthy process, they might opt to concentrate units against isolated GKR redoubts in such urban localities as Takeo, Kampot, etc., and attempt to overrun them piecemeal. In the

absence of U.S. air support, the KC would probably estimate themselves capable of taking most, if not all, GKR-controlled enclaves removed from Routes 4 and 5 and thus find themselves in a very strong bargaining position permitting them to dictate the terms of a coalition government to a supine GKR.

"(5) Disorder or anarchy in Phnom Penh, although always a possibility, would probably not be an immediate near term result of a bombing halt. What trouble could arise would come from enemy action against the capital in the form of small unit raids or rocket attacks. These would not be likely to touch off popular uprisings but might conceivably be directed against U.S. installations and/or personnel. We do not envisage any manifestations of pronounced anti-Americanism on the part of the GKR as a result of the bombing halt. [REDACTED]

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[REDACTED] stated that he would have added the following comment at this point [REDACTED]

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[REDACTED] If a rice shortage should develop in Phnom Penh, disorder would be a likely result. [REDACTED] added that if lines of communications were completely disrupted, an airlift of the needed 550 tons of rice per day could not meet the city's demands, because facilities at Pochentong airfield would not be able to handle the needed volume of air traffic.)

"c. We would be in a different ball game if the Eagleton Amendment were to be interpreted as prohibiting such indirect support to combat activities as the resupply of FANK with ammunition, arms and other war-making accoutrements. In such a situation, FANK would disintegrate in the very near term. Ten days would not be too short a time frame. The psychological and political impact on the nation as a whole would be nothing short of disastrous and the implied cessation of rice deliveries to Phnom Penh and other urban centers would create conditions under which food riots could be safely predicted."

LAOS

4.

"a. U.S. aircraft have bombed within Laos on only two occasions since the 22 February 1973 cease-fire. Since there are no U.S. bombing operations currently underway in Laos, a Congressional cutoff would have no military impact except as the threat of U.S. bombing presumably serves as a deterrent to major enemy cease-fire violations.

"b. The fact that U.S. strategic and tactical fighter bombers are available to the RLG, if formally requested by the Prime Minister and approved by Washington, is well-known. [redacted] The loss of that latent capability would almost certainly have a deleterious psychological and political impact on the RLG. This would in turn influence the continued determination of the

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RLG and the Lao military to negotiate a reasonably equitable agreement with the NLHS, perhaps by increasing the RLG's willingness to compromise on fundamental political and military issues.

"c. NLHS/RLG negotiations are currently at an impasse. The NLHS approach to the negotiations has been hard and uncompromising. The Lao Communists have arrogantly insisted that their draft protocols contain the only correct line and that any negotiations must be based on these drafts alone. Because of NLHS intransigence, the dialogue has been suspended for the past four days. The last negotiating session between the plenipotentiaries was held on 22 June.

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The present impasse is based thus far on irreconcilable positions on the military protocol, positions which transcend the issue of Pathet Lao presence in the administrative and royal capitals as such. An absolute proscription of U.S. bombing in Laos would undoubtedly embolden the NLHS negotiators while at the same time weakening RLG resolve.

"d. This development would not materially increase the near-term risk of disorder in Vientiane. We continue to

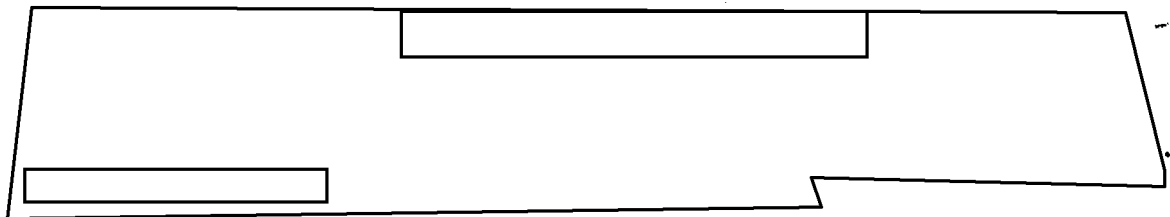
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believe that the cease-fire will, by and large, hold in Laos and therefore do not believe that the military situation would be significantly affected by U.S. bombing prohibition in Laos."

SOUTH VIETNAM



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"a. In general one can say that the U.S. Congressional action dismays our friends and encourages our enemies. This is not to say that South Vietnamese morale will collapse as a result of this specific action, which is just one of a series of American moves cutting unilaterally previous commitments. The overall effect is a cumulative weakening of the GVN and an overall reduction in American leverage.

"b. The Viet Cong and the North Vietnamese will undoubtedly celebrate the Eagleton Amendment as a major victory, which of course it is for them. It will confirm the Communists in the belief that they can safely proceed with their designs against non-Communist governments of Southeast Asia without fear of American intervention or retaliation.

"c. While we Americans understand the present American constitutional problems, including the dispute over warmaking powers, the continuing wrestling match between the Executive and the Congress over foreign policy, and the

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related purse string issues and the impact of Watergate as a tilting factor, these niceties will certainly not be understood or analyzed by public opinion in Indochina. The implementation of the Eagleton Amendment would be viewed as a blow against the non-Communist side and as a real help to the Communists, even though this may not have been the intent of Congressmen voting for the measure.

"d. It is unlikely that the Congressional action would cause any immediate change in VC/NVA tactics and policies in South Vietnam, which have evolved from local military realities. Whatever happens in Cambodia, the VC/NVA would still need to build up their political and military strength for any next round. However, it is certain that the increased Communist freedom of action in Cambodia which would result would make the job of consolidation against South Vietnam considerably easier and probably would hasten the onset of new pressures against the GVN."

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